

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant RE AN APPLICATION BY (b) **Stephen Halls and Amy Lee**
- (c) Brief description LOCATION OF PROPERTY (c) 2005 Front Rd. N
(Roll No. 3729-500-000-34300)
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 37 m frontage ± by an irregular depth with an area of 2020 sq m ± which contains a single detached dwelling and one accessory structure for purposes of creating a new lot. The remaining parcel being 29.53 m ± frontage by an irregular depth with an area of 7.89 ha ± is vacant land proposed to be used as a residential building lot.
- The severed lands are designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1A (R1A) Zone in the Zoning By-law 1999-52.
- The retained lands are designated Low Density Residential, Agricultural, Provincially Significant Wetland and Environmental Protection in the Town's Official Plan and zoned Residential Type 1A (R1A), Wetland (W), Environmental Protection (EP) Zones in the Zoning By-law 1999-52.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 2nd day of August, 2023.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
1. That a Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
 3. That all property taxes be paid in full.
 4. That the applicant installs separate water services to the retained lot in accordance with and under the supervision of the municipality at the applicant's expense.
 5. That the Owners enter into the reapportionment of the drainage assessment for the subject lands and the Bondy-Bastien Municipal Drainage System prepared by the Drainage Superintendent for in accordance with Section 65(2) of the Ontario Drainage Act, R.S.O. 1990, as amended, and provide the Town of Amherstburg, a signed agreement. The associated costs of same be borne solely by the Applicant. Apportionments for affected Municipal Drains are required and are to be assessed against the lands affected in accordance with any past, current or future drainage by-laws, until otherwise determined under the provisions of the Drainage Act.
 6. That the applicant ensures the properties being retained or severed maintain its own drainage as to not affect neighbouring properties, to the satisfaction of the municipality.
 7. That the Owner determine if there are any existing drainage tiles/systems extending through the parcel to be severed and, if existing drainage tiles/systems are known/found, that the Owner redirected the tile systems around the parcel to be severed to the satisfaction of the Chief Building Official prior to the severance being finalized.

8. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the severed parcel does not cross the property lines, that the system is in working order and that its operation will not be affected by the severance, to the satisfaction of the municipality.
9. That the Tax certificate be tagged with information regarding estimated liabilities of the severed and retained parcels to the **Bondy-Bastien Drain** project (provisionally adopted under By-Law 2023-083) for the currently estimated amount of \$15,128.00. If the severed land is to be sold, that the information is rightfully disclosed to the potential buyer/agent.
10. That the applicant acknowledges satisfactory to the Corporation of the Town of Amherstburg requiring that the subject property be required to hook into a sanitary sewer system when it becomes available.
11. That Council approve the development of the newly created lot on a private individual septic system, after the soil analysis and septic design for the proposed lot is completed as required. This requirement shall be fulfilled prior to the stamping of the deeds.
12. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

(g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Sections 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Policy Statement.

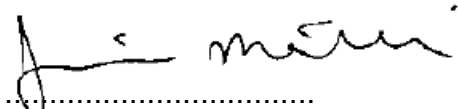
I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
 David Cozens Terris Buchanan Anthony Campigotto

..... ORIGINAL DOCUMENT SIGNED
 Donald Shaw Josh Mailloux

CERTIFICATION
The Planning Act, R.S.O. 1990

(h) Name of approval authority I, **Janine Mastronardi, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

(i) Name & address of approval authority Dated this 2nd day of August, 2023 
 Secretary-Treasurer
 Town of Amherstburg
 Committee of Adjustment
 3295 Meloche Rd, Amherstburg, ON N9V 2Y8